

From: ["Washburn, Ben" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=FDA03CBA30C542059E0AF4208DAD96DA-WASHBURN,BEN>](mailto:Washburn.Ben@EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FDA03CBA30C542059E0AF4208DAD96DA-WASHBURN,BEN)  
To:  
CC:  
Date: 7/7/2014 3:28:19 PM  
Subject: OPA Daily Digest 7/7/2014

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## OPA Daily Digest for 7/7/14

### Congressional Inquiries:

**Sen. Roy Blunt** (Mo.) – Email/Letter – 6/20/14: Gentry County concerned with EPA fine for violation of the CWA. Due: 7/7/14. Contact: LaTonya Sanders, 7555 (open)

**Rep. Sam Graves** (Mo.); **Rep. Vicky Hartzler** (Mo.); **Rep. Jason Smith** (Mo.); **Rep. Ann Wagner** (Mo.); **Rep. Billy Long** (Mo.); **Rep. Blaine Luetkemeyer** (Mo.); **Rep. Kevin Yoder** (Kan.); **Rep. Lynn Jenkins** (Kan.); **Rep. Adrian Smith** (Neb.) – Letter – 6/17/14: Concerns regarding the National Pollutant Discharge Elimination System permitting of Water Treatment Plant lime residuals along the Missouri and Mississippi rivers. Due: 7/2/14. Contact: LaTonya Sanders, 7555 (open)

### State Government Inquiries:

None

### Press Inquiries:

**Associated Press, Kansas City** - Maria Fisher – 6/2/14: Follow-up questions regarding National Zinc site in Cherryvale, Kan. Contact: David Bryan, 7433 (open)

**St. Louis Business Journal** – Rick Jackoway – 7/3/14: Questions about Carter Carburetor Site in St. Louis, Mo. Contact: Chris Whitley, 7394 (open)

**KCTV Channel 5, Kansas City** – Amy Anderson – 7/4/14: Questions about search of residence in Leawood, Kan., owned by owner of Beta Chem Lab in Overland Park, Kan. Referred to EPA Criminal Investigation Division. Contact: Chris Whitley, 7394 (closed)

**KSHB Channel 41, Kansas City** – Carolyn Rooney - 7/4/14: Questions about search of residence in Leawood, Kan., owned by owner of Beta Chem Lab in Overland Park, Kan. Referred to EPA Criminal Investigation Division. Contact: Chris Whitley, 7394 (closed)

**Wall Street Journal** – John Emshwiller – 7/4/14: Questions about West Lake Landfill Site in Bridgeton, Mo. Contact: Chris Whitley, 7394 (open)

**Wichita Eagle** – Dan Voorhis – 7/7/14: Questions about the Waters of the U.S. rule. Referred to headquarters. Contact: Chris Whitley, 7394 (closed)

### Environmental Stories:

**St. Louis Post-Dispatch - EPA head to visit Missouri to push new definition of water covered under Clean Water Act** - 7/7/14 - Environmental Protection Agency Administrator Gina McCarthy will visit Missouri Wednesday and Thursday to push a proposed rule that expands and clarifies water covered under the Clean Water Act. [http://www.stltoday.com/news/local/govt-and-politics/epa-head-to-visit-missouri-to-push-new-definition-of/article\\_d2af70b5-2e75-50a2-bdbd-f2ebe8d6262a.html](http://www.stltoday.com/news/local/govt-and-politics/epa-head-to-visit-missouri-to-push-new-definition-of/article_d2af70b5-2e75-50a2-bdbd-f2ebe8d6262a.html)

**Associated Press - Flooding closes 2 Mississippi River bridges** - 7/7/14 - Two Mississippi River bridges closed due to flooding, and with more storms in the forecast, there was growing concern Monday that conditions could worsen in parts of Missouri and Illinois. [http://qctimes.com/news/state-and-regional/illinois/flooding-closes-mississippi-river-bridges/article\\_61732806-c179-5ee6-8b6f-e896c6646d8c.html](http://qctimes.com/news/state-and-regional/illinois/flooding-closes-mississippi-river-bridges/article_61732806-c179-5ee6-8b6f-e896c6646d8c.html)

**KCTV Ch. 5 Kansas City - Feds, EPA raid home in upscale Leawood neighborhood** - 7/5/14 - Federal Bureau of Investigation confirms they assisted the U.S. Environmental Protection Agency in a raid in an upscale Leawood neighborhood. Last October the feds seized El-Sherif's business, the Beta Chem laboratory in Lenexa, KS. <http://www.kctv5.com/story/25947263/feds-epa-raid-home-in-upscale-leawood-neighborhood>

**Gannett News Service - Strains linger in relationship between farmers, EPA** - 7/6/14 - For years, farmers and ranchers have cast a wary eye toward new laws and regulations from Washington they fear will be costly and burdensome. Now, a rule being proposed by the Environmental Protection Agency outlining which bodies of water the agency would oversee under the Clean Water Act has again rattled the agriculture industry. <http://www.argusleader.com/story/news/local/2014/07/06/strains-linger-relationship-farmers-epa/12267469/>

**WNAX Radio Yankton, S.D. - IRFA Executive Responds To EPA Rules** - 7/7/14 - Last week the EPA issued a rule designed to maintain liquidity in the market for renewable identification numbers or RINS. That rule certifies corn kernel fiber as a crop residue, a positive rule for the renewable fuels industry. - <http://wnax.com/news/180081-irfa-executive-responds-to-epa-rules/>

**The News-Leader, Springfield, Mo. - Opinion: It is time for state to protect water** - 7/5/14 - CNN Money ran an article recently that called water "the new gold." The article went on to highlight the global threat of water shortages in the future and the State Department's assertion that risks to our water pose a threat to national security. <http://www.news-leader.com/story/opinion/contributors/2014/07/06/time-state-protect-water/12202067/>

**Hastings Tribune (Neb.) - Underground contaminants released from landfill** - 7/4/14 - City and state officials are closely monitoring for contaminants in the groundwater from an apparent leak in one of the old buried cells at Hastings Landfill. <http://www.hastingstribune.com/july/news0704leak.php>  
Also Omaha World-Herald and Lincoln Journal Star

**Columbia Missourian - Ameren Expansion Approved — For Ash Landfill** - 7/5/14 - Ameren Missouri overcame another hurdle this week in its quest to build a coal ash landfill at its Labadie plant, but it still needs a construction permit from the Missouri Department of Natural Resources. [http://www.emissourian.com/local\\_news/county/article\\_0c0e79b6-250c-5d4f-9a1d-b06e940194ed.html](http://www.emissourian.com/local_news/county/article_0c0e79b6-250c-5d4f-9a1d-b06e940194ed.html)

**Columbia Missourian - Washington City Council to Discuss Landfill Waste Relocation** - 7/5/14 - With cell work on the next landfill finally finished, the next step in the plan to comply with Missouri Department of Natural Resources guidelines is to draft a relocation plan. The council must approve the plan before it can be sent to the DNR. [http://www.emissourian.com/article\\_b2f29263-d38a-599a-b500-4a9824ed6f9c.html](http://www.emissourian.com/article_b2f29263-d38a-599a-b500-4a9824ed6f9c.html)

**Quad-City Times - Letter: Water pollution doesn't bother Branstad** - 7/5/14 - In my research, Iowa was in the top third of the states for cleanest water in all of the United States in 1998. Now, Iowa ranks 24th. Most of this pollution is due to nitrates runoff from farm land fertilizer. Most of our farmers are ethical and environmentally conscious. However, there are factory farms that go unchecked. [http://qctimes.com/news/opinion/mailbag/water-pollution-doesn-t-bother-branstad/article\\_066ef288-8258-59a8-9f75-125005f09774.html](http://qctimes.com/news/opinion/mailbag/water-pollution-doesn-t-bother-branstad/article_066ef288-8258-59a8-9f75-125005f09774.html)

**Quad-City Times - Flood fighters keep water back, while others keep it clean** - 7/7/14 - While City of Davenport flood fighters such as Eric Longlett worked outdoors Sunday to keep the Mississippi River behind its floodwall, others, such as Rock Island Water Treatment Plant Operator John Kitson constantly monitored levels in a laboratory to ensure that same river continues to deliver clean water. [http://qctimes.com/news/local/flood-fighters-keep-water-back-while-others-keep-it-clean/article\\_da4095dd-af51-5b28-b849-](http://qctimes.com/news/local/flood-fighters-keep-water-back-while-others-keep-it-clean/article_da4095dd-af51-5b28-b849-)

[27952271818e.html](http://www.fox2now.com/2014/07/02/protesters-want-more-minority-workers-at-carter-plant-clean-up/)

**Associated Press - Davenport water plant prepared for river water** - 7/4/14 - With the Mississippi River expected to crest at less than 21 feet in Davenport on Friday, floodwater likely won't test the true capabilities of a permanent flood wall completed last year at the Iowa American Water treatment plant. [http://www.omaha.com/news/davenport-water-plant-prepared-for-river-water/article\\_1f7191ea-039b-11e4-9c96-001a4bcf6878.html](http://www.omaha.com/news/davenport-water-plant-prepared-for-river-water/article_1f7191ea-039b-11e4-9c96-001a4bcf6878.html)

**Wall Street Journal - Alternative-Energy Funds See Renewed Buying by Investors** - 7/6/14 - While the boom in U.S. natural gas has generated excitement among investors and companies alike, the renewable-energy sector has been having a moment of its own. <http://online.wsj.com/articles/alternative-energy-funds-see-renewed-buying-by-investors-1404679622>

**Lincoln Journal-Star (Neb.) - Kansans mostly shrug at Keystone controversy** - 7/5/14 - Backers of the Keystone XL Pipeline are gearing up for yet another showdown in the five-year-long fight over whether to build the pipeline from Canada to the Gulf Coast. But, in Kansas, the debate has been a big yawn. [http://journalstar.com/news/state-and-regional/kansans-mostly-shrug-at-keystone-controversy/article\\_13649f5b-6328-52b5-b2de-7e4352badb10.html](http://journalstar.com/news/state-and-regional/kansans-mostly-shrug-at-keystone-controversy/article_13649f5b-6328-52b5-b2de-7e4352badb10.html)

**KMOX Radio St. Louis - Activists: More Minority Participation Needed in Carter Carburetor Plant Demolition** - 7/2/14 - Holding signs reading "Economic Equality" and "We Want Jobs," a handful of protestors marched in front of the Carter Carburetor Plant this morning, calling for more minority participation in the plant's demolition. <http://stlouis.cbslocal.com/2014/07/02/activists-more-minority-participation-needed-in-carter-carburetor-plant-demolition/>

**KTVI Ch. 2 St. Louis - Protesters want more minority workers at Carter plant clean-up** - 7/2/14 - A protest was held Wednesday at the old Carter Carburetor plant in north St. Louis. Protesters say the company in charge of cleaning up the toxic material at the plant is not meeting minority hiring goals. <http://fox2now.com/2014/07/02/protesters-want-more-minority-workers-at-carter-plant-clean-up/>

**Kansas City Star - Scientists struggle to figure out why ground is shaking in Kansas** - 7/6/14 - Months after the prairie began to shake, scientists still struggle to explain a surge in Kansas earthquakes that appears connected to increased fracking. <http://www.kansascity.com/news/government-politics/article675824.html>

**Nebraska Radio Network - Senators see little impact from Supreme Court EPA ruling (audio)** - 7/7/14 - A United States Supreme Court ruling restricting the reach of the Environmental Protection Agency doesn't restrict it all that much, according to Nebraska's two senators. Sen. Deb Fischer sees little practical effect from the decision. <http://nebraskaradionetwork.com/2014/07/07/senators-see-little-impact-from-supreme-court-epa-ruling-audio/>

**Conservative Hideout 2.0 (blog) - Farm Family Make Fun of Obama's EPA in Must See Video Parody** - 7/7/14 - Since Obama hasn't been able to get his aggressive, economy draining agenda through Congress (even though the Democrats control the Senate), he's using his pen and his phone to tell the EPA to implement his wishes through regulations. But some farmers in Missouri are fighting back through the use of parody to point out the absurdity of what the EPA intends to do. <http://conservativehideout.com/2014/07/07/farm-family-make-fun-of-obamas-epa-in-must-see-video-parody/>

**Brownfields Ag News - EPA's water rule concerns Nebraska farmers** - 7/7/14 - Two central Nebraska farmers say they're concerned that the EPA's proposed "Waters of the U.S." rule will force them to obtain permits to carry out routine farming practices. <http://brownfielddagnews.com/2014/07/07/epas-water-rule-concerns-nebraska-farmers/>

**Brownfields Ag News - Water rule could impact smaller livestock producers the most (audio)** - 7/7/14 - The director of legal and regulatory affairs with the Nebraska Cattlemen's organization, Kristen Hassebrook, says smaller livestock producers could be the ones most impacted by the EPA's proposed "Waters of the U.S." rule. <http://brownfielddagnews.com/2014/07/07/water-rule-impact-smaller-livestock-producers/>

**St. Louis Post-Dispatch - Mississippi River faces climate change, funding challenges** - 7/4/14 - Colin Wellenkamp recently returned to St. Louis after spending 10 years in Washington working on issues that include transportation, waterways, sustainability and economic development. His return was made possible when the Mississippi River Cities and Towns Initiative decided earlier this year to move its headquarters out of Washington to be closer to the river. [http://www.stltoday.com/business/local/mississippi-river-faces-climate-change-funding-challenges/article\\_c10f3b8e-13bc-5905-ac9e-db3b09a041a0.html](http://www.stltoday.com/business/local/mississippi-river-faces-climate-change-funding-challenges/article_c10f3b8e-13bc-5905-ac9e-db3b09a041a0.html)

**Topeka Capital-Journal (Kan.) - Kansas less impacted by climate change than some states** - 7/5/14 - Kansas won't be as affected by climate change as some states, but rising temperatures could drive down labor productivity — and the effect on the state's agriculture industry is too close to call at this point. <http://cjonline.com/news/business/2014-07-05/kansas-less-impacted-climate-change-some-states>

**St. Louis Post-Dispatch - Sauget Superfund cleanup draws in nearly 250 companies** - 7/6/14 - Dealing with the hazardous chemicals dumped years ago in Metro East landfills could end up costing nearly 250 businesses, government agencies and nonprofit groups in the region — even though most never operated east of the Mississippi River. [http://www.stltoday.com/business/local/sauget-superfund-cleanup-draws-in-nearly-companies/article\\_871eda6d-0350-5e07-863c-6348174bb0df.html](http://www.stltoday.com/business/local/sauget-superfund-cleanup-draws-in-nearly-companies/article_871eda6d-0350-5e07-863c-6348174bb0df.html)

**USA Today - Environmentalists, industry squawk over chickens** - 7/7/14 - Under the FWS plan to bolster the prairie chicken population to 67,000, energy interests would pay an enrollment fee that is set aside to rebuild or replace habitat that is altered or destroyed. <http://www.usatoday.com/story/news/nation/2014/07/07/threatened-endangered-species-lesser-prairie-chicken/11364229/>

**Farm Futures - Pro-Ethanol Camp Pushes Renewables on the Fourth** - 7/4/14 - The Fuels America coalition has launched a new wave of ads pushing cost savings of renewable fuels for consumers as gas prices rise during peak travel season. <http://farmfutures.com/story-pro-ethanol-camp-pushes-renewables-fourth-8-114585>

**Farm Futures - EPA May Spend Summer Defending Waters of the U.S. Rule** - 7/3/14 - There's been confusion about the proposed Waters of the U.S. rule changes, EPA Assistant Administrator for Water Nancy Stoner said in an agency blog post this week, but talking to more farmers could help ease concerns. The agency is planning summer talks with farmers and ranchers about the proposal, starting with a trip to Missouri next week, an EPA spokeswoman told The Hill. <http://farmfutures.com/story-epa-may-spend-summer-defending-waters-rule-8-114652>

**Farm Futures - Significant Rains Eliminate Drought in Upper Midwest** - 7/3/14 - Drought intensity continues to wane in the upper Midwest and into the High Plains as wet weather again made its way across the U.S. this week. <http://farmfutures.com/story-significant-rains-eliminate-drought-upper-midwest-17-114670>

**Farm Futures - The Buzz: No Sizzle, Just Fizzle** - 7/3/14 - Crop prices are sometimes providing plenty of fireworks around Independence Day. But the opposite appears to be true in 2014. Bearish USDA reports released at the end of June reinforced selling trends in place due to favorable development of corn and soybeans. <http://farmfutures.com/story-buzz-sizzle-fizzle-23-114663>

**New York Times - Taking Oil Industry Cue, Environmentalists Drew Emissions Blueprint** - 7/6/14 - David Doniger and David Hawkins, and the scientist, Daniel Lashof, worked with a team of experts to write a 110-page proposal, widely viewed as innovative and audacious, that was aimed at slashing planet-warming carbon pollution from the nation's coal-fired power plants. On June 2, President Obama proposed a new Environmental Protection Agency rule to curb power plant emissions that used as its blueprint the work of the three men and their team. <http://www.nytimes.com/2014/07/07/us/how-environmentalists-drew-blueprint-for-obama-emissions-rule.html>

**Huffington Post - Obama Administration Announces Massive Climate Change Funding** - 7/4/14 - President Obama's new climate change push was reaffirmed on Thursday when the Department of Energy announced that it will make \$4 billion in loans available to clean energy projects. [http://www.huffingtonpost.com/2014/07/03/obama-climate-change-loan\\_n\\_5556091.html](http://www.huffingtonpost.com/2014/07/03/obama-climate-change-loan_n_5556091.html)

**Christian Science Monitor - Floating nuclear plants: Is the future of nuclear offshore?** - 7/7/14 - Researchers have presented an alternative nuclear reactor — one that floats on water. Although floating nuclear reactors at sea have some benefits, there are concerns with surrounding marine life and terrorism threats in the context of a post-Fukushima world. <http://www.csmonitor.com/Environment/Energy-Voices/2014/0707/Floating-nuclear-plants-Is-the-future-of-nuclear-offshore>

**Huffington Post - Pope Francis Calls Exploitation Of Nature Sin Of Our Time** - 7/5/14 - ope Francis called for more respect for nature on Saturday, branding the destruction of South America's rain forests and other forms of environmental exploitation a sin of modern times. [http://www.huffingtonpost.com/2014/07/05/pope-francis-nature-environment-sin\\_n\\_5559631.html](http://www.huffingtonpost.com/2014/07/05/pope-francis-nature-environment-sin_n_5559631.html)

**Louisville Courier-Journal - No additional coal plant closures expected from EPA rule** - 7/3/14 - Some Kentucky lawmakers continued to resist the science of climate change even as a top Kentucky energy official said he does not expect proposed new EPA rules to require any coal-fired power plants to shut down -- beyond those already closing to meet other regulations. <http://www.courier-journal.com/story/watchdog-earth/2014/07/03/lawmakers-urge-governor-to-stall-for-time/12168573/>

**New American - States Fighting Obama EPA's Global Warming Decrees** - 7/5/14 - When the Obama administration failed in its bid five years ago to have the Democrat-controlled Congress create an unconstitutional cap-and-trade regime targeting carbon dioxide to fight "global warming," it waited a few years, then imposed the radical scheme by executive decree. <http://www.thenewamerican.com/tech/environment/item/18634-states-fighting-obama-epa-s-global-warming-decrees>

**America Al Jazeera - Why the fossil fuel divestment movement is a farce** - 7/7/14 - The focus on stocks ignores the fact that much of dirty energy investment takes place on private markets. <http://america.aljazeera.com/opinions/2014/7/fossil-fuel-divestmentenvironmentpoliticscollegeenergy.html>

**Yale Environment 360 - A Strong Rebuke For Paper That Forecasted 'Climate Departure'** - 7/7/14 - Thirteen climate scientists and meteorologists have published a sharp criticism of a paper in Nature by University of Hawaii biogeographer and climate modeler Camilo Mora, who calculated dates when earth's climate will move into a new state caused by human-driven global warming. [http://e360.yale.edu/digest/a\\_strong\\_rebuke\\_for\\_paper\\_that\\_forecasted\\_climate\\_departure/4188/](http://e360.yale.edu/digest/a_strong_rebuke_for_paper_that_forecasted_climate_departure/4188/)

**Greenwire - Tighter controls have helped lower acidity levels in rivers -- study** - 7/7/14 - New federal research concludes that acidity levels in some of the nation's largest rivers have steadily declined over the past six decades, and it credits tighter regulations of industrial and agricultural wastewater discharges and air pollution as a major factor. <http://www.eenews.net/greenwire/stories/1060002422/>

**Cincinnati Enquirer (Ohio) - Why sewers got so costly, complicated** - 7/5/14 - Running a sewer system used to be so simple. Connect a pipe to a building. Connect that pipe to a bigger pipe. Make sure it all flows downhill. A federal court ruling here two weeks ago showed just how much that's changed and how complicated the business of sewers has become in the 21st century. <http://www.cincinnati.com/story/news/2014/07/05/sewers-got-costly-complicated/12261617/>

**New York Times - Virus Plagues the Pork Industry, and Environmentalists** - 7/5/14 - A deadly virus, porcine epidemic diarrhea, or PEDv, is estimated to have killed, on average, more than 100,000 piglets and young hogs each week since it first showed up in Iowa in May 2013. The fatality numbers are so staggering that environmentalists have grown worried about the effects of state laws requiring the burial of so many carcasses, and what that will do to the groundwater. <http://www.nytimes.com/2014/07/05/business/PEDv-plagues-the-pork-industry-and-environmentalists.html>

**E&E Daily - More battles ahead on EPA's Clean Water Act proposal** - 7/7/14 - The Obama administration's proposal to increase the number of streams and wetlands that receive automatic protection under the Clean Water Act is heading for another tough week on Capitol Hill. <http://www.eenews.net/eedaily/stories/1060002388/>

**E&E Daily - Bids to halt EPA carbon rules likely to roil House debate on energy and water spending bill** - 7/7/14 - The fiscal 2015 energy and water appropriations bill is scheduled to come to the House floor this week in a delayed conclusion to the Republicans' "energy week," but much of the debate may be on amendments targeting U.S. EPA efforts to curb power plants' carbon emissions. <http://www.eenews.net/eedaily/stories/1060002387/>

**E&E Daily - House subpanel to explore federal legal authority over states** - 7/7/14 - A House Energy and Commerce subcommittee will grapple Friday with the legal underpinnings of federal environmental rules compelling state action, including the basis for U.S. EPA's bid to regulate carbon dioxide from existing power plants. <http://www.eenews.net/eedaily/2014/07/07/stories/1060002379>

**E&E Daily - Headwaters' Benson discusses future of final EPA rule** - 7/7/14 - How aggressive will U.S. EPA be in its final rule for coal ash regulations? During today's OnPoint, Kirk Benson, CEO of Headwaters, the country's largest manager of coal ash, discusses his expectations for the final rule and talks about the impact Duke Energy Corp.'s Dan River incident had on the dynamic of the coal ash debate. <http://www.eenews.net/tv/videos/1850/transcript>

**E&E Daily - For state races, new EPA carbon rule offers political ammo -- and a little risk** - 7/7/14 - In a year marked by brutal fights over immigration, health care and foreign policy, energy reform is a remote entry on most Americans' laundry list of concerns. But for a number of aspiring gubernatorial hopefuls, particularly in energy-producing states, U.S.



EPA's newly proposed greenhouse gas rule for existing power plants offers a political target that's too good to pass up. <http://www.eenews.net/climatewire/stories/1060002396/>

**Greenwire - Hillary Clinton hints at climate, energy choices** - 7/7/14 - Two short chapters at the back of Hillary Clinton's memoir "Hard Choices" provide the most detailed glimpse to date into her thinking on global warming and the U.S. energy boom as the former secretary of State weighs a second run for the White House. <http://www.eenews.net/greenwire/stories/1060002421/>

**EnergyWire - Inside the startling fiction of 'standby' power** - 7/7/14 - The International Energy Agency issued a report last week with an unusually cheeky introductory title, at least for the IEA. It read, "Think you understand 'standby'? Think again!" <http://www.eenews.net/energywire/2014/07/07/stories/1060002370>

**ClimateWire - Health emerges as a driver behind sensor networks for GHGs** - 7/7/14 - A 10-pound sensor the size of a football might help you breathe easier one day, detecting air quality in real time near you. <http://www.eenews.net/climatewire/2014/07/07/stories/1060002399>

**BNA - EPA to Hold Meetings to Share Ideas About Operating New Financing Program** - 7/3/14 - Starting in Chicago on July 22, the Environmental Protection Agency plans to hold a series of informational meetings in seven cities to discuss plans and solicit ideas for operating the new water infrastructure financing program. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056449&vname=dennotallissues&jd=a0f2m7d0a4&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056449&vname=dennotallissues&jd=a0f2m7d0a4&split=0)

**BNA - Lesson From Waldburger: Federalism Alive, High Court Wary of Preempting State Law** - 7/3/14 - The U.S. Supreme Court's decision in CTS v. Waldburger shows a unwillingness to preempt state law, meaning federalism isn't dead, environmental attorney Richard O. Faulk said July 1 at a conference on recent Supreme Court rulings. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056443&vname=dennotallissues&jd=a0f2m6g6f7&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056443&vname=dennotallissues&jd=a0f2m6g6f7&split=0)

**BNA - Grassley Says EPA Unlikely to Finalize 2014 Renewable Fuel Standard Until Fall** - 7/3/14 - The Environmental Protection Agency is unlikely to finalize the 2014 renewable fuel standard until the fall, according to Sen. Chuck Grassley (R-Iowa), and others monitoring the rule. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056457&vname=dennotallissues&jd=a0f2m7f8m6&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056457&vname=dennotallissues&jd=a0f2m7f8m6&split=0)

**BNA - DOE Solicits Applications for \$4 Billion In Renewable, Efficiency Loan Guarantees** - 7/3/14 - The Energy Department announced July 3 it will begin accepting applications for as much as \$4 billion in loan guarantees for renewable energy and energy efficiency projects. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056460&vname=dennotallissues&jd=a0f2m7g2q6&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056460&vname=dennotallissues&jd=a0f2m7g2q6&split=0)

**BNA - Obama Administration Looking for Ways To Work With Insurers on Extreme Weather** - 7/3/14 - The Obama administration is looking for ways to work with the insurance and re-insurance industries to make neighborhoods and businesses more resilient to extreme weather events. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056440&vname=dennotallissues&jd=a0f2m5q9y5&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056440&vname=dennotallissues&jd=a0f2m5q9y5&split=0)

**BNA - EPA Asks Court for More Cross-State Rule Briefing** - 7/3/14 - The Environmental Protection Agency said in a July 3 motion that it would be reasonable for the U.S. Court of Appeals for the District of Columbia Circuit to order supplemental briefing in lawsuits challenging the Cross-State Air Pollution Rule. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49056463&vname=dennotallissues&jd=a0f2m7m3j8&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49056463&vname=dennotallissues&jd=a0f2m7m3j8&split=0)

**Inside EPA - EPA Aims To Limit Briefing In Remaining CSAPR Suits** - 7/3/14 - EPA is asking the U.S. Court of Appeals for the District of Columbia Circuit to limit the scope of future briefing in remaining legal challenges to the Cross-State Air Pollution Rule (CSAPR) air trading program. <http://insideepa.com/201407032476104/EPA-Blog/News-Briefs/epa-aims-to-limit-briefing-in-remaining-csapr-suits/menu-id-97.html>

**Inside EPA - EPA Faces Queries Over Failing To Credit Early GHG Cuts In Climate ESPS** - 7/3/14 - Power industry officials and some state regulators are questioning why EPA is not explicitly rewarding their early efforts to cut greenhouse gases (GHGs) from the power sector in its proposed utility climate existing source performance standards (ESPS). <http://cleanenergyreport.com/201407032476029/Clean-Energy-Report-Daily-News/News/epa-faces-queries-over-failing-to-credit-early-ghg-cuts-in-climate-esps/menu-id-202.html>

**Inside EPA - Ruling Says Agencies Must Weigh Carbon 'Cost' Estimate For Coal Leases** - 7/3/14 - A federal district court ruling says federal agencies must weigh the use of the Obama administration's social cost of carbon (SCC) value in assessing the potential greenhouse gas (GHG) impacts of coal mining leases.

<http://cleanenergyreport.com/201407032476078/Clean-Energy-Report-Daily-News/News/ruling-says-agencies-must-weigh-carbon-cost-estimate-for-coal-leases/menu-id-202.html>

**Inside EPA - High Court's Denial Of Labor Case Leaves Path Open For Stormwater Suits** - 7/3/14 - Industry is still seeking a lawsuit that could act as a vehicle to test arguments in favor of overturning the wide deference courts grant EPA and other agencies to interpret their rules, after the Supreme Court let stand a closely watched labor ruling that raised the deference question. <http://insideepa.com/Superfund-Report/Superfund-Report-07/07/2014/high-courts-denial-of-labor-case-leaves-path-open-for-stormwater-suits/menu-id-128.html>

**Inside EPA - Advocates Split On EPA Plan To Strengthen Facility Safety Through RMP** - 7/3/14 - Facility safety advocates are split on the efficacy and speed with which EPA's plan to strengthen its Risk Management Plan (RMP) program will make industrial plants safer, with some arguing those measures will eventually encourage companies to implement safer processes. <http://insideepa.com/Superfund-Report/Superfund-Report-07/07/2014/advocates-split-on-epa-plan-to-strengthen-facility-safety-through-rmp/menu-id-128.html>

**Inside EPA - EPA To Launch WIFIA Program Despite Uncertainty Over FY15 Funding** - 7/3/14 - EPA officials are planning to begin efforts to set up the novel water infrastructure financing pilot program recently enacted into law, despite the fact the program is unlikely to be funded in fiscal year 2015. <http://insideepa.com/201407032476074/EPA-Daily-News/Daily-News/epa-to-launch-wifia-program-despite-uncertainty-over-fy15-funding/menu-id-95.html>

**Inside EPA - Judges Dismissive Of EPA Policy Arguments In Superfund Cost Claims Case** - 7/7/14 - Appellate court judges at recent oral arguments were dismissive of EPA policy arguments that the agency will face tougher challenges in achieving cleanups at Superfund sites unless the court clearly rules that parties who sign consent agreements with the agency are barred from bringing cost recovery claims under section 107 of the Superfund law. <http://insideepa.com/201407072476164/EPA-Daily-News/Daily-News/judges-dismissive-of-epa-policy-arguments-in-superfund-cost-claims-case/menu-id-95.html>

**Inside EPA - EPA's Climate ESPS Sends 'Mixed Messages' On Biomass Industry's Role** - 7/7/14 - EPA's proposed utility climate existing source performance standards (ESPS) sends "mixed messages" for the biomass sector, observers say, because it identifies biomass as a renewable energy source. <http://insideepa.com/201407072476167/EPA-Daily-News/Daily-News/epas-climate-esps-sends-mixed-messages-on-biomass-industrys-role/menu-id-95.html>

**Inside EPA - 5th Circuit Rejects Review Of EPA Air Act Violation Notices** - 7/7/14 - The U.S. Court of Appeals for the 5th Circuit has rejected for lack of jurisdiction a Texas utility's bid to extend pre-enforcement judicial review to EPA Clean Air Act notices of violation (NOVs). <http://insideepa.com/201407072476174/EPA-Blog/News-Briefs/5th-circuit-rejects-review-of-epa-air-violation-notices/menu-id-97.html>

## Press Releases:

Link to all R7 press releases: <http://go.usa.gov/Qx5>

**MEDIA ADVISORY: EPA Administrator Tours Missouri July 9 and 10; Meets with Farmers on Protecting U.S. Waterways** – 7/7/14 – Contact: Kris Lancaster, 7557

## Fact Sheets:

Link to all R7 fact sheets: <http://www.epa.gov/region7/factsheets>

None

## Upcoming Administrator/RA Events:

\* New additions noted with an asterisk

**7/9/14** – Waters of the U.S. events with Nancy Stoner, Columbia, Mo. Contact: Karen Flourney, 7782

**7/9/14** – Hinkson Creek meeting, Columbia, Mo. Contact: Shawn Grindstaff, 7274

**7/10/14** – Meeting with U.S. Army Corps of Engineers, Regional Office. Contact: Cecilia Tapia, 7733

**\*7/10/14** - Attend Kansas City Agricultural Business Council Meeting, Kansas City, Missouri. Contact: Karen Flourney, 7782

**7/11/14** – Joint R6/R7 COOP Meeting, Dallas, Texas. Contact: Chris Taylor, 7736

**7/14/14** – Utilities State Government Organizational Annual Meeting. Contact: Becky Weber, 7487

**7/15/14** - Small Business Majority Roundtable, Waterloo, Iowa. Contact: Sarah Hatch, 7199

**7/21/14** – Civil Rights Event, Washington, D.C. Contact: Julia Cacho, 7071

**7/22/14** – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

**7/23/14** – Senior Leadership Retreat for Regional Administrators, Washington, D.C. Contact: Julia Cacho, 7071

**7/24/14** – National Tribal Operations Committee Meeting, Washington DC. Contact: Lynn Slugantz, 7883

**7/28-30/14** – Regional Tribal Operations Committee Meeting, Niobrara, Neb. Contact: Lynn Slugantz, 7883

**7/31/14** – Missouri Environmental & Energy Conference at the Lake, Osage Beach, Mo. Contact: David Cozad, 7587

8/6/14 - St. Louis Regional Chamber of Commerce Meeting, St. Louis, Mo. Contact: David Bryan, 7433

**8/20/14** – Tribal Consultation Training, Regional Office. Contact: Heather Hamilton, 7039

#### **DRA:**

**7/10/14** – Meeting with U.S. Army Corps of Engineers, Regional Office. Contact: Cecilia Tapia, 7733

**7/11/14** – Joint R6/R7 COOP Meeting, Dallas, Texas. Contact: Chris Taylor, 7736

**7/21/14** – Civil Rights Event, Washington, DC. Contact: Julia Cacho, 7071

**7/21-22/14** – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

**7/21/14** – Civil Rights Event, Washington, D.C. Contact: Julia Cacho, 7071

**7/23-7/24/14** Executive Management Council Meeting, Washington, DC Contact: Dana Peters, 7444

**8/20/14** – Tribal Consultation Training, Regional Office. Contact: Heather Hamilton, 7039



**RA/Immediate Office**

None

**Other Events****AWMD**

\*7/08/2014– Attending the Nebraska State Emergency Response Commission meeting, Lincoln, Neb. Contact: Terri Blunk, 7013.

\*7/08/2014 – Giving a speech at the Mid America Regional Council on existing power plant rule, Kansas City, Mo. Contact: Josh Tapp, 7606.

\*7/8-10/2014 – Attending RCRA Directors meeting, Washington, DC. Contact: Becky Weber, 7487.

\*7/14/2014 – Participating in Missouri Department of Natural Resources 111(d) kick off meeting, Jefferson City, Mo. Contact Josh Tapp, 7606.

\*7/22/2014 – Participating in the Iowa Department of Natural Resources 111(d) kick off meeting, Des Moines, Iowa. Contact: Becky Weber, 7487.

**CNSL**

None

**ECO/EJ**

None

**ENSV**

None

**PLMG**

None

**RA/OPA**

**9/29-30/14** - Healthy Schools Outreach, Missouri School Plant Managers' Association Conference, Four Seasons, Lake of the Ozarks, Mo. Contact: Kathleen Fenton, 7874 and Harry Diesel, 7382

**SUPR**

None

## WWPD

**7/9/14** – Waters of the U.S. events with Nancy Stoner, Columbia, Mo. Contact: Karen Flourney, 7782

**8/18-21/14** – Purdue Pesticide Program Certification and Training Workshop, Indianapolis, Ind. Contact: Douglas Jones, 7592

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**Des Moines Register**

## **Iowa on the right path for improving water quality**

By Bill Northey and Chuck Gipp

11:19 p.m. CDT July 2, 2014

We appreciate The Des Moines Register's recent coverage examining nutrient loading in our state's waterways. The articles and editorial did a good job examining the challenges faced by cities and industries that discharge directly into a waterway as well as understanding the need to also address runoff from farm fields and urban areas.

Iowa is fortunate to have strong leadership from both the point source community, such as municipal wastewater treatment plants and industrial facilities, and nonpoint sources, including farmers and landowners, committed to address these issues.

The Iowa nutrient reduction strategy brought together stakeholders from both the point and nonpoint source communities to develop a comprehensive plan focused on using a science- and technology-based approach to assess and reduce nutrients delivered to Iowa waterways and, eventually, into the Gulf of Mexico.

In the past, there had been a tendency on both sides to point fingers and place blame, and the result was inaction. However, since the strategy was completed last year we have seen positive responses from both the point source and nonpoint source communities working to do an even better job reducing nutrient loading.

After just one year, 21 wastewater facilities with major permits for discharging are already engaged in feasibility studies to determine how much nitrogen and phosphorus are entering their plants prior to treatment and how much is being discharged after treatment.

This work will help those facilities treating wastewater determine the best steps to reduce nutrients being discharged at the end of the process. We have already seen major improvements in the city of Clinton, where 75 percent of both nitrogen and phosphorus are being removed, and Iowa City, where 72 percent of the nitrogen is being removed. Iowa City is also currently studying ways of reducing phosphorus.

But perhaps the biggest change we have seen has been in the positive attitude and willingness to look at solutions by wastewater permit holders. We have seen many of these facilities go from "what do we have to do" to "what can we do" to reduce nutrients. Many facilities are taking creative, proactive approaches to how nutrients can be reduced, including looking at how nutrient loads might be reduced before even reaching the plant.

Iowa's agriculture community is also stepping up. Many farmers are trying new practices on their farms to help them better manage their nutrients. For example, in just two weeks last fall, over 1,000 farmers signed up for cost-share funding to help implement new nutrient reduction practices on their farms. A total of \$2.8 million was available to help farmers try a water quality practice for the first time, with Iowa farmers providing at least another \$2.8 million.

Also, 13 watershed demonstration projects have been selected and are working within the large priority watersheds identified by the Iowa Water Resources Coordinating Council. These projects will receive \$5.8 million in funding through the Iowa water quality initiative over the next three years. In addition to the state funds, the 13 projects will provide over \$10 million in matching funds to support water quality improvement efforts.

All of this important work is making a difference. Recent reports have shown nitrates declining in the Raccoon and Iowa rivers. In fact, an analysis of the records on the Des Moines Water Works website shows a downward trend of 0.28 milligrams per year since 1999.

We recognize that we still have a lot of work to do, and all Iowans are encouraged to learn more and consider ways they can be involved. Wherever you live, the rain that falls on your property eventually makes its way to a river, lake or stream and can have an impact on water quality.

Our departments worked together, along with Iowa State University, to create [www.CleanWaterIowa.org](http://www.CleanWaterIowa.org) to provide information to all Iowans about what they can do to help protect water quality.

We still have more to do, but we are on the right path. Iowa is leading the way in using voluntary, science-based practices for nonpoint sources and innovative proactive approaches from point sources to improve water quality.

#### ABOUT THE AUTHORS

Bill Northey, is Iowa's secretary of agriculture. Contact: [agri@iowaagriculture.gov](mailto:agri@iowaagriculture.gov).

Chuck Gipp is director of Iowa's Department of Natural Resources.

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**Wall Street Journal**

## Utilities Report Cyber Incidents to Energy Department

Subsidiaries of ITC Holdings, Duke Energy and NRG Energy Tell DOE of Suspected Cyberattacks

By RACHAEL KING

July 2, 2014 7:19 p.m. ET

Utilities have reported cyber incidents to the Energy Department involving one of the largest power plants in the U.S. and high-voltage transmission systems in Michigan and Iowa.

The utilities, subsidiaries of ITC Holdings Corp. ITC -0.94% , Duke Energy Corp. DUK -1.22% and NRG Energy Inc., NRG -0.73% each filed a report to the Energy Department in the past year detailing suspected cyberattacks. The reports highlight the interest by hackers in targeting energy firms, and the vulnerabilities of IT systems used to run power generation and distribution equipment.

Duke Energy, which reported an incident at its Roxboro, N.C., plant in October 2013, said its notification to the DOE was a false alarm and that no attack took place. But the company said in a statement that it discovered "inactive remnants of a virus that had been previously isolated and removed from several computers." The company didn't say how the virus was introduced into its system at one of the country's largest power plants, or what its purpose was.

Duke said the infected computers were immediately isolated from the rest of the company's computer systems until further testing could be performed and remnants of the virus removed. All software was stripped off and reinstalled and the computers were tested again to ensure that no viruses remained on the computers, according to the statement.

ITC Holdings subsidiary ITC Transmission, which reported an incident in June 2013 in Michigan and Iowa, also said the report was a false alarm. "We have a sophisticated system to protect against cyber attacks, and a rigorous protocol for evaluating and responding to potential threats if they arise," the company said in a statement.

NRG Power Marketing, a subsidiary of NRG Energy, reported an incident in New York on April 24. The company declined to comment.

Symantec Corp. SYMC +0.74% , which sells cybersecurity software, Tuesday said one hacking group has been specifically targeting firms that generate and transmit electricity and petroleum pipeline operators by hacking into computer networks known as industrial control systems that are used to operate equipment such as turbines, valves and boilers.

Because electric power is the hub around which all other critical infrastructure revolves, it is an attractive target for cyberattacks, said Patrick C. Miller, founder of the nonprofit Energy Sector Security Consortium and a managing partner at the Anfield Group, a security consulting firm. "The means are available to virtually anyone with enough time," he said. The opportunity is high because of the open nature of the targets, which were designed to be continually up and running. Utilities focused on making the systems easy to manage using remote electronic communications, rather than on cybersecurity, according to Mr. Miller.

In general, malicious software can make its way into utility networks in a few different ways. The Department of Homeland Security, in a report released in May, warned about the risk of those industrial control systems that are accessed over the Internet.

An unnamed public utility was recently compromised when a sophisticated hacking organization gained unauthorized access to its control system network, according to the report.

Another issue is that the same control centers that govern industrial systems also connect to the corporate business networks run by the utilities, said Carl Wright, former chief information security officer of the U.S. Marine Corps who now works for a cybersecurity startup.

Sometimes utilities feed real-time data from their industrial control networks to their business networks in order to facilitate billing or status updates even though those networks are supposed to be kept separate, he said. This connection could allow viruses to move from business networks to the networks that control industrial systems, he said.

"This is the most dangerous time we've had as a country, specific to cyber," said Mr. Wright. "The reason is that we have senior leadership in corporations and government that are barely IT-literate," he said. "The people who are making policies and decisions truly don't understand it."